



Janet Napolitano, Governor
Stephen A. Owens, ADEQ Director

FACT SHEET

HAZARDOUS WASTE STORAGE FACILITY PERMIT VEOLIA ES TECHNICAL SOLUTIONS, L.L.C. 5736 W. JEFFERSON ST., PHOENIX, ARIZONA EPA I.D. NO. AZ0 000 337 360

This fact sheet was prepared in accordance with the Arizona Administrative Code (A.A.C.) R18-8-271.E(e) and R18-8-271.G. A fact sheet must accompany every Arizona Hazardous Waste Management Act (AHWMA) draft permit that the Arizona Department of Environmental Quality (ADEQ) has prepared that either raises major issues or involves a new facility. All references to the A.A.C. hereafter refer to the A.A.C. R18-8-260 et seq., made effective on February 4, 2006, which incorporates and/or modifies parts of Title 40 Code of Federal Regulations (CFR) Parts 260 et seq. (July 1, 2004, Edition).

BRIEF DESCRIPTION OF TYPE OF FACILITY

Veolia ES Technical Solutions, L.L.C. (VES), formerly Onyx Environmental Services, L.L.C., is located at 5736 West Jefferson Street, Phoenix, Arizona, 85043 and serves as a destination facility for mercury-containing waste. The facility has been operating under an agreement with the Arizona Department of Environmental Quality (ADEQ) since 1994. The agreement permits VES to store and process fluorescent lamps, high intensity discharge (HID) lamps, and miscellaneous mercury containing manufactured articles (MCMA) such as batteries, inorganic mercury compounds, dental amalgams, clean up articles, PPE, gas regulators, and labpacks. VES's RCRA permit regulates storage of mercury containing hazardous material in three designated storage areas. In accordance with federal requirements, all the recycling and related activities are exempt from hazardous waste permitting regulations.

VES conducts its mercury operations in Building 1 of a four-building complex. The one story building includes an office area, a mercury processing area, and two container storage areas. A free-standing storage building located north of the building 1 is also used to store lamps and other MCMA.

Lamps and MCMA are disassembled reclaiming recyclable metal (end caps), glass, liquid mercury, and mercury-containing phosphor powder. The metals, consisting primarily of aluminum, small amounts of

copper, ferrous and miscellaneous metals and non metallic debris, and glass are sent off site.

VES tests recovered material to ensure that they do not contain any hazardous contamination. Recovered metal and crushed glass are tested quarterly for mercury and recovered phosphor powder is tested for mercury, antimony and cadmium quarterly, using the toxicity characteristic leaching procedure (TCLP).

All received wastes and reclaimed material are stored and managed in approved containers. VES does not operate a treatment or disposal unit onsite.

The three remaining buildings in the complex (Buildings 2, 3, and 4) are permitted by U.S. Environmental Protection Agency (EPA) under TSCA to store and process PCB containing material. The surrounding land use in the immediate area of the VES is industrial.

The total permitted storage capacity for the facility is 100,000 lamps and 125 55-gallon drums. There are no hazardous waste landfills, waste piles, surface impoundments, and land treatment units in the facility.

TYPE AND QUANTITY OF HAZARDOUS WASTES STORED

Types of Hazardous Wastes (40 CFR § 261, Subpart C & D)

The lamps stored and recycled at the facility are primarily categorized as hazardous waste because of their mercury content (D009), but they may also include cadmium (D006), lead (D008) and material with characteristics of corrosivity (D002). Mercury Containing Manufactured Articles (MCMA) may also include oxidizers (D001), reactive waste (D003), arsenic (D004), barium (D005), chromium (D007), selenium (D010), silver (D011), and elemental mercury (U151).

More specific information on the waste types (and waste codes) and storage areas can be found in the draft hazardous waste permit in Section III, "Container Storage" and Permit Attachment C, "Waste Analysis Plan", and in the federal hazardous

waste rules at 40 CFR §261 Subpart C, "Characteristics of Hazardous Wastes" and 40 CFR §261 Subpart D, "Lists of Hazardous Waste."

Quantity of Hazardous Waste Stored

The maximum permitted capacity of lamp storage at the facility is 100,000 lamp units, including various types of fluorescent and HID lamps. The storage time limit for the facility is one year. The maximum permitted storage capacity of mercury containing manufactured articles for the facility is 125 55-gallon drums (each drum weighs approximately 500 pounds).

Total processing capacity of the facility is 50,000 lamps per day and up to 300,000 lamps per week, resulting in an annual capacity of about 15 million lamps. Total processing capacity of other mercury containing manufactured articles (MCMAs) in the retort area is approximately 12 drums per day or 60 drums per week, with an annual capacity of about 3,000 55-gallon drums. VES's hazardous waste permit only regulates the storage areas and does not regulate process capacity of the facility.

TYPE AND QUANTITY OF HAZARDOUS WASTES STORED

The draft permit prepared by ADEQ consists of four parts and nine attachments. All conditions are based on the Hazardous Waste Storage Facility Permit Application dated October of 1998, with additional information and revisions dated December 2002, and most recent revision dated July 2003 and the RCRA Facility Assessment.

Permit Part I contains general permit conditions. These conditions are required by Arizona Administrative Code (A.A.C.) R18-8-270.A and L, as well as 40 CFR 270.30.

Permit Part II contains general facility conditions. These conditions are required by A.A.C. R18-8-264.A and 40 CFR 270.32.

Permit Part III contains specific conditions related to container storage areas and container management. These conditions are required by A.A.C. R18-8-264.A.

Permit Part IV contains conditions regarding corrective action. Corrective action is authorized by the Arizona Revised Statutes §49-922.B and Section 3004(u) of the federal Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments. The regulatory basis for corrective action can be found in A.A.C. R18-8-264.A and 40 CFR 264.101.

The permit will be in effect for 10 years. VES may apply for renewal in order to continue facility operations.

Director-Established Permit Conditions

As required by A.A.C. R18-8-270.A, M, N, and O (40 CFR 270.32), the Director has established site-specific permit conditions as necessary to conform with state and federal rules and regulations. These conditions, known as Omnibus Conditions are as follows:

- Condition II.I.5, page II-5 requires VES to maintain a contact list of K-12 public and private schools close to the facility and to provide such a list to the fire department when requested and when the emergency provisions of the Contingency Plan are implemented by VES.
- Attachment A, page A-3 requires VES to train its drivers to use alternate transportation routes as much as possible so as to avoid residential areas and schools.

APPLICANT REQUESTED VARIANCES/ALTERNATIVES AND APPROVAL/ DENIAL BASIS

None requested.

PROCEDURES FOR REACHING A FINAL DECISION ON THE DRAFT PERMIT

The administrative record for the draft permit contains all data submitted by the applicant. A copy of portions of the administrative record, including the draft permit, is available for public review at:

Phoenix Public Library
Desert Sage Branch
7602 W. Encanto Boulevard, Phoenix, AZ 85035
Monday through Thursday 10 a.m. – 9 p.m.; and Friday and Saturday 10 a.m. – 6 p.m.; and Sunday 12 p.m. – 6 p.m.

The full administrative record is available at:

ADEQ Records Center
1110 W. Washington St., Phoenix, AZ 85007
(602) 771-4380
Monday – Friday (excluding state holidays)
8:30 a.m. to 4:30 p.m.

To arrange an appointment to review this record at ADEQ, contact the ADEQ Records Center at (602) 771-4380.

As required by A.A.C. R18-8-271.L and 40 CFR §124.13, all persons, including applicants, who believe any condition of the draft permit or the tentative decision to prepare and issue this draft proposed permit is inappropriate, must raise all reasonable ascertainable issues and submit all reasonably available arguments and supporting materials by the close of the public comment period. All comments submitted during the

public comment period shall discuss the appropriateness of the draft permit.

The 45-day public comment period will open on July 2, 2006 and will close on September 8, 2006. During the public comment period, any interested person may submit written comments on the draft permit. These comments and supporting materials must be delivered or postmarked by the last day of the public comment period to:

Arizona Department of Environmental Quality
Anthony Leverock – Manager
Hazardous Waste Permits Unit
1110 W. Washington St., Mail Code 4415C-I
Phoenix, AZ 85007

All written comments delivered or postmarked by the last day of the public comment period will be considered in ADEQ's final determination regarding the draft permit. After all comments have been considered, a final permit decision will be made by the Director. The applicant, each person who has submitted written or oral comments, and each person who has so requested will receive a notice of this final permit decision. This notice shall include reference to procedures for appealing a decision on a draft permit. The final permit decision shall become effective on the date specified in the final permit notice.

At the time that the final decision is made, the Director shall also issue a response to any significant comments. The response to comments shall consider all items as specified in A.A.C. R18-8-271.O and 40 CFR § 124.17. The response to comments shall be made available to the public for review. Any person who desires to be placed on the mailing list for all future permitting activities for this facility or for facilities in a specific geographic area may request so in writing to the above address, pursuant to A.A.C. R18-8-271.I(c)(1)(ix) and 40 CFR § 124.10(c)(1)(ix)(a).

In addition to submitting public comment, any person may request the ADEQ Director to schedule a public hearing. Written requests for a public hearing must be submitted to ADEQ by not later than **September 8, 2006**, and must state the nature of the issues proposed to be raised in the hearing. The Director will hold such a hearing if: 1) he finds, on the basis of requests, a significant degree of public interest in the draft permit, or 2) he finds that the hearing might clarify one or more issues involved in the permit decision, or 3) a formal written notice of opposition to the draft permit is received within the comment period.

If you would like a copy of the facility fact sheet or wish to be put on a mailing list for permit activity, you can make this request to the ADEQ contact person listed above. Please bring this notice to the attention of anybody who might be interested in this matter.

CONTACTS FOR ADDITIONAL INFORMATION

For additional information concerning the draft permit, please contact:

Anthony Leverock – Manager
ADEQ - Hazardous Waste Permits Unit
1110 West Washington Street
Phoenix, Arizona 85007
E-mail: acl@azdeq.gov
(602) 771-4160 or
Toll Free: (800) 234-5677, Ext. 771-4160

Hearing-impaired individuals call our TDD line:
(602) 771-4829

Or

Cortland Coleman
ADEQ Communications Director
(602) 771-2215
E-mail: cc7@azdeq.gov
Web site: www.azdeq.gov

Figure 1. Site Location Map

